

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1-17 are pending. Claim 1-3, 8-11 and 15-17 are independent and hereby amended. Claims 25-34 are new. No new matter has been added. It is submitted that these claims, as originally presented, were in full compliance with the requirements of 35 U.S.C. §112. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

### **II. SUPPORT FOR AMENDMENT IN SPECIFICATION**

Support for this amendment is provided throughout the Specification as originally filed and specifically at paragraphs [0092]-[0094], [0122]-[0123] and Fig. 5 of Applicants' corresponding published application. By way of example and not limitation:

[0092] Next, an image-quality adjusting process of the television receiver 2 is described below with reference to FIG. 5.

[0093] In step S31, the system controller 12 determines whether the start of the image-quality adjusting process has been commanded, and is on standby until determining that the start of image-quality adjusting process has been commanded. For example, the user presses a predetermined button (not shown) of the remote commander 31, thereby commanding the start of the

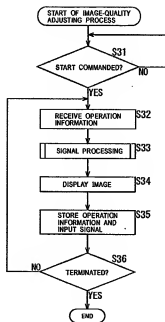
adjustment. When it is determined in step S31 that the start of the process has been commanded, the system controller 12 proceeds to step S32, and controls the signal receiving unit 11 to receive operation information. Then, the display unit 18 displays, for example, a graphical user interface (GUI) simultaneously controlling resolution and noise suppression. The user simultaneously sets parameters for both by operating the remote commander 31.

[0094] Specifically, the user simultaneously sets parameters for both by designating a point on the screen of the GUI in which the resolution and the noise suppression are represented by X and Y axes, respectively.

[0122] Referring back to FIG. 5, in step S34, the system controller 12 superimposes an OSD signal from the OSD processing unit 16 on the signal output from the signal processing unit 15, and displays, on the display unit 18, an image based on the obtained signal.

[0123] In step S35, the system controller 12 stores the operation information and the input signal in the user-information storage unit 57 of the signal processing unit 15. An example of the user information stored is shown in FIG. 7.

FIG. 5



### III. RESPONSE TO REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-3, 8-12 and 14-17 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 7,188,355 to Prokopenko et al. (hereinafter, merely “Prokopenko”) in further view of U.S. Patent No. 6,711,676 to Zomaya et al. (hereinafter, merely “Zomaya”) in view of U.S. Patent No. 6,057,872 to Candelore (hereinafter, merely “Candelore”).

Claims 4-7 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Prokopenko in view of Zomaya in view of Candelore, in further view of U.S. Patent No. 7,260,823 to Schlack et al. (hereinafter, merely “Schlack”).

Claim 13 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Prokopenko in view of Zomaya in view of Candelore, and in further view of U.S. Patent No. 6,381,369 to Kondo et al. (hereinafter, merely “Kondo”).

Claim 1 recites, *inter alia*:

...acquiring means for acquiring user information collected from each of the information processing apparatuses, **the user information including operation information from a user for setting parameters for resolution and noise suppression...**  
(Emphasis added)

As understood by Applicants, Candelore relates to an apparatus and method for allowing users of services such as pay television to obtain credits when viewing particular programs.

Applicants submit that neither Prokopenko nor Zomaya nor Candelore, taken alone or in combination, would disclose or render predictable the above discussed feature of claim 1. Specifically, none of the cited references discloses or renders predictable “acquiring

means for acquiring user information collected from each of the information processing apparatuses, **the user information including operation information from a user for setting parameters for resolution and noise suppression,**" as recited in claim 1.

Specifically, the Office Action (see pages 5-6) concedes that Prokopenko in view of Zomaya fails to disclose that the user preference information includes operation information from a user, and that the user operation information reflects new functions and new products, but asserts that Candelore describes the above mentioned features, and refers to Candelore, col. 3, lines 40-52, col. 6, lines 27-41 and col. 6, line 62-col. 7, line 5, which are reproduced as follow:

*Candelore, col. 3, lines 40-52:*

Each terminal includes a processor which monitors a usage pattern (e.g., viewing history) of the terminal to determine if the preconditions of the digital coupon information have been satisfied. For example, the usage pattern may indicate which programs have been recovered by the terminal within the last month, or some other period, or the length of time that a particular program, or program service (e.g., channel) was viewed. The terminal may simply grant coupons based on the purchase of a PPV program, or based on the amount of time spent viewing an infomercial. The credits are thus awarded when there is a correlation between the usage pattern and the preconditions of the digital coupon information.

*Candelore, col. 6, lines 27-41:*

The terminals 160, . . . , 170 do not realize the credit which is offered with the digital coupon information until the terminals satisfy certain preconditions. **Each terminal includes means for monitoring various factors which define the terminal's usage pattern data over a defined time period, including, for example, the number of PPV programs purchased, the amount of PPV charges incurred, whether, and for what duration, the terminal has been tuned to a particular program or program service, whether the terminal has recently upgraded to one or more premium program services, and whether a promotional period is in effect.** The promotional period may apply to individual terminals, such as those of new subscribers, to selected groups of terminals, or to all terminals.

*Candelore, col. 6, line 62-col. 7, line 5:*

As another example, when the digital coupon information provides two free days of access to one of a number of available premium program services, the selected premium program service can be monitored, and the subscriber can be subsequently offered a digital coupon which allows him to upgrade to the selected premium program service, e.g., at one-half off the normal charge for the first month. Various other marketing strategies may be used with the present invention to enhance revenue and customer goodwill. For example, a subscriber may be given coupon credit for a free pay-per view movie on his birthday.

Thus, Applicants submit that Candelore disclosure of monitoring various factors of a usage pattern, such as the number of PPV programs purchased, the amount of PPV charges incurred, whether, and for what duration, the terminal has been tuned to a particular program or program service, whether the terminal has recently upgraded to one or more premium program services, and whether a promotional period is in effect. However, Candelore discloses nothing about **monitoring the user's operation information for setting parameters for resolution and noise suppression**. Thus, Candelore fails to disclose or render predictable "acquiring means for acquiring user information collected from each of the information processing apparatuses, **the user information including operation information from a user for setting parameters for resolution and noise suppression**," as recited in claim 1.

Furthermore, this deficiency of Candelore is not cured by the supplemental teaching of Prokopenko or Zomaya.

Therefore, Applicants submit that independent claim 1 is patentable and respectfully request reconsideration and withdrawal of the rejection.

For reasons similar to, or somewhat similar to, those described above with regard to independent claim 1, independent claims 2, 3, 8-11 and 15-17 are also patentable, and Applicants thus respectfully request reconsideration of the rejections thereto.

#### **IV. DEPENDENT CLAIMS**

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Applicants thereby respectfully request reconsideration and withdrawal of rejections thereto. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

#### **CONCLUSION**

Because Applicants maintain that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicants reserve the right to address such comments.

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

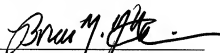
Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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